

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of

**Ellen Barbara, et al.**

Serial No.: **09/903,284**

Art Unit: **3692**

Filed: **July 11, 2001**

Examiner: **Ojo O. OYEBISI**

For: **METHOD AND SYSTEM FOR ON-LINE PAYMENTS**

**FILED ELECTRONICALLY****APPEAL BRIEF**

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P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

This is an Appeal Brief under 37 C.F.R. § 41.37 in connection with the decision of the Examiner mailed on August 10, 2007, setting a three month period for response which expired on November 10, 2007, absent an extension. A Response After Final and a Notice of Appeal together with a one-month extension of time were filed on December 7, 2007, setting the period for filing an Appeal Brief to expire on February 7, 2008, absent an extension. Applicants have filed herewith a request for a one-month extension of time, extending the period for filing the Appeal Brief to March 7, 2008.

This Appeal Brief fully complies with all provisions of 37 CFR 41.37(c) and each of the topics required by § 41.37 is presented herewith and is labeled appropriately. It is not believed that any additional fees are due, but if so, please charge any deficiency to Deposit Account No. 50-4402.

**(1) Real Party In Interest**

The real party in interest is Citicorp Credit Services, Inc.

**(2) Related Appeals And Interferences**

Applicants previously appealed a final rejection and filed an Appeal Brief on July 19, 2006, whereupon the Examiner withdrew the finality of the rejection and issued a non-final office action in lieu of an Examiner's Answer before a decision by the Board. There are no other appeals or interferences related to this case.

**(3) Status of Claims**

Claims 1-11, 17-44, and 50-72 are pending and all have been rejected.

Claims 12-16 and 45-49 have been canceled.

No claims have been allowed.

No claims have been withdrawn.

Claims 1-11, 17-44, and 50-72 are hereby appealed.

**(4) Status of Amendments**

There are no amendments after final rejection.

**(5) Summary of Claimed Subject Matter**

Independent claim 1 proposes a method for making on-line payments that involves receiving enrollment information from a user for an on-line payments service (See, e.g., Specification, p. 4, lines 1-10; p. 10, line 15-p. 11, line 2; and Figs. 2, 14, and 14a); receiving the user's designation of a source account for withdrawing funds for the on-line payments (See, e.g., Specification, p. 4, lines 12-29; p. 11, lines 3-38; and Figs. 1 and 2); and providing a transaction account for the user as a money deposit account accessible via a single account number that the user can use both as a source from which to send funds and a destination into which to receive funds and with at least one of a plurality of service levels (See, e.g., Specification, p. 5, lines 1-4; p. 10, lines 1-9; p. 14, line 20-p. 15, line 7; and Fig. 1). Independent claim 1 further proposes that the plurality of service levels of the transaction account comprise a first level service that

includes an on-line person-to-person payment service enabling the user to receive and send funds from the user's transaction account, with a save for later feature enabling the user to accumulate a balance of funds in the user's transaction account for later use, and with a held money feature for retaining funds in the user's transaction account which the user has designated to be sent to a recipient but which has not yet been picked up by the recipient (See, e.g., Specification, p. 5, lines 5-13; p. 19, lines 3-21; and Fig. 6); a second level of service that includes all features of the first level of service plus an access card enabling the user to access funds in the user's transaction account for off-line transactions (See, e.g., Specification, p. 5, lines 14-24; p. 19, line 22-p. 20, line 3; and Fig. 7); and a third level of service that includes all features of the first and second levels of service plus a credit line enabling the user to access both line of credit funds and accumulated balance funds in the user's transaction account (See, e.g., Specification, p. 15, lines 17-24; p. 20, lines 4-13; and Fig. 8). Independent claim 1 additionally proposes allowing the user to have funds reside in the transaction account for one or more of making an on-line payment with funds in the transaction account, making an on-line purchase with funds in the transaction account, making an off-line purchase with funds in the transaction account, making a cash withdrawal with funds in the transaction account, making a credit card account payment with funds in the transaction account, making a bill payment with funds in the transaction account, and making an international payment with funds in the transaction account (See, e.g., Specification, p. 5, line 26-p. 6, line 27; p. 10, lines 1-7; p. 14, line 3-p. 19, line 2; and Figs. 1 and 3-5).

Independent claim 34 proposes a system for making on-line payments that involves means for receiving enrollment information from a user for an on-line payments service (See, e.g., Specification, p. 4, lines 1-10; p. 10, line 15-p. 11, line 2; and Figs. 2, 14, and 14a); means for receiving the user's designation of a source account for withdrawing funds for the on-line payments (See, e.g., Specification, p. 4, lines 12-29; p. 11, lines 3-38; and Figs. 1 and 2); and means for providing a transaction account for the user as a money deposit account accessible via a single account number that the user can use both as a source from which to send funds and a destination into which to receive funds and with at least one of a plurality of service levels (See, e.g., Specification, p. 5, lines 1-4; p. 10, lines 1-9; p. 14, line 20-p. 15, line 7; and Fig. 1). Independent claim 34 further proposes that the plurality of service levels of the transaction

account comprise a first level service that includes an on-line person-to-person payment service enabling the user to receive and send funds from the user's transaction account, with a save for later feature enabling the user to accumulate a balance of funds in the user's transaction account for later use, and with a held money feature for retaining funds in the user's transaction account which the user has designated to be sent to a recipient but which has not yet been picked up by the recipient (See, e.g., Specification, p. 5, lines 5-13; p. 19, lines 3-21; and Fig. 6); a second level of service that includes all features of the first level of service plus an access card enabling the user to access funds in the user's transaction account for off-line transactions (See, e.g., Specification, p. 5, lines 14-24; p. 19, line 22-p. 20, line 3; and Fig. 7); and a third level of service that includes all features of the first and second levels of service plus a credit line enabling the user to access both line of credit funds and accumulated balance funds in the user's transaction account (See, e.g., Specification, p. 15, lines 17-24; p. 20, lines 4-13; and Fig. 8). Independent claim 34 additionally proposes means for allowing the user to have funds reside in the transaction account for one or more of making an on-line payment with funds in the transaction account, making an on-line purchase with funds in the transaction account, making an off-line purchase with funds in the transaction account, making a cash withdrawal with funds in the transaction account, making a credit card account payment with funds in the transaction account, making a bill payment with funds in the transaction account, and making an international payment with funds in the transaction account (See, e.g., Specification, p. 5, line 26-p. 6, line 27; p. 10, lines 1-7; p. 14, line 3-p. 19, line 2; and Figs. 1 and 3-5).

Independent claim 71 proposes a method for making on-line payments involving receiving enrollment information by a payments engine from a user at a terminal via a network for an on-line payments service (See, e.g., Specification, p. 4, lines 1-10; p. 10, line 15-p. 11, line 2; and Figs. 2, 14, and 14a); identifying characteristics of the user from the enrollment information indicative of a predefined service level for the user by the payments engine and appending a level indicator for the user by the payments engine to an enrollment file for the user corresponding to the predefined service level for the user (See, e.g., Specification, p. 20, lines 14-25); and receiving the user's designation of a source account for withdrawing funds for the on-line payments service for the user by the payments engine via the network (See, e.g., Specification, p. 4, lines 12-29; p. 11 lines 3-28; and Figs. 1 and 2). Independent claim 71

further proposes providing a transaction account for the user by the payments engine accessible via a single account number that the user can use both as a source from which to send funds and a destination into which to receive funds and with a user service level and graphical user interface corresponding to the appended level indicator (See, e.g., Specification, p. 3, lines 18-21; p. 5, lines 1-4; p. 9, lines 5-18; p. 10, lines 1-9; p. 14, line 20-p. 15, line 7; and Fig. 1) and allowing the user to use the transaction account for a transaction via the payments engine in response to prompts displayed on the graphical user interface for the user at the terminal according to predetermined transaction parameters established for the user service level (See, e.g., Specification, p. 5, line 27-p. 6, line 27; p. 14, line 3-p. 19, line 2; and Figs. 3-5).

Independent claim 71 additionally proposes that that the predefined service levels comprise a first level service that includes an on-line person-to-person payment service enabling the user to receive and send funds from the user's transaction account, with a save for later feature enabling the user to accumulate a balance of funds in the user's transaction account for later use, and with a held money feature for retaining funds in the user's transaction account which the user has designated to be sent to a recipient but which has not yet been picked up by the recipient (See, e.g., Specification, p. 5, lines 5-13; p. 19, lines 3-21; and Fig. 6), a second level of service that includes all features of the first level of service plus an access card enabling the user to access funds in the user's transaction account for off-line transactions (See, e.g., Specification, p. 5, lines 14-24; p. 19, line 22-p. 20, line 3; and Fig. 7), and a third level of service that includes all features of the first and second levels of service plus a credit line enabling the user to access both line of credit funds and accumulated balance funds in the user's transaction account (See, Specification, p. 15, lines 17-24; p. 20, lines 4-13; and Fig. 8).

Independent claim 72 proposes a method for making on-line payments that involves receiving enrollment information for an on-line payments service on an enrollment page for the on-line payments service (See, e.g., Specification, p. 4, lines 12-29; p. 10, line 15-p. 11, line 2; and Figs. 2, 14, and 14a); receiving from the user the user's designation of a source account for withdrawing funds for the on-line payments service (See, e.g., Specification, p. 4, lines 12-29; p. 11, lines 3-28; and Figs. 1 and 2); providing a transaction account for the user by the on-line payments service as a money deposit account accessible via a single account number that the user can use both as a source from which to send funds and a destination into which to receive

funds and with at least one of a plurality of service levels (See, e.g., Specification, p. 5, lines 1-4; p. 10, lines 1-9; p. 14, line 20-p. 15, line 7; and Figs 1 and 6-8); and allowing the user to have funds reside in at least one of a save for later portion of the transaction account and a held money portion of the transaction account (See, e.g., Specification, p. 5, lines 25-27; p. 10, lines 1-7; and Fig. 1). Independent claim 72 additionally proposes allowing the user to use the funds residing in the transaction account for a transaction consisting of any of making an on-line payment via a recipient account with funds in the transaction account, making an on-line purchase with funds in the transaction account by authorizing payment from the transaction account to an on-line merchant, making a credit card account payment with funds in the transaction account by authorizing the payment to the user's credit card account, making a bill payment via a bill payment service with funds in the transaction account, making an international payment via an international payment service in a foreign currency with funds in the transaction account, making an off-line purchase with funds in the transaction account by authorizing payment from the transaction account to an off-line merchant using a transaction card provided to the user in connection with the transaction account, and making a cash withdrawal with funds in the transaction account at a self-service financial transaction terminal using the transaction card (See, e.g., Specification, p. 5, line 27-p. 6, line 27; p. 14, line 3-p. 19, line 2; and Figs. 3-5). Independent claim 72 further proposes providing the user a credit facility to supplement the save for later portion of the funds in the transaction account for use in any of said transactions, wherein the credit facility is accessible by the user only upon depleting the save for later portion of the funds in the transaction account (See, e.g., Specification, p. 5, lines 17-21; p. 6, lines 23-27; p. 20, lines 4-28; and Fig. 8).

**(6) Grounds of Rejection to be Reviewed on Appeal**

Claims 1-11, 17-44 and 50-72 are rejected under 35 U.S.C. § 103(a) as being unpatentable over O'Leary (U.S. Pat. No. 6,609,113).

(7) **Argument**

**The Rejection of Claims 1-11, 17-44 and 50-72 Under 35 U.S.C. 103(a) Over O’Leary is Improper**

Claims 1-11, 17-44 and 50-72 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over the teachings of O’Leary. On the contrary, O’Leary lacks one or more limitations recited in each of amended independent claims 1, 34, 71 and 72 in at least the following respects.

O’Leary fails, for example, to teach at least providing a transaction account for the user as a money deposit account accessible via a single account number that the user can use both as a source from which to send funds and a destination into which to receive funds and with at least one of a plurality of service levels, as recited in each of amended independent claims 1, 34, 71 and 72. On the contrary, O’Leary teaches a combination of two limited function accounts, the first of which (the IPA account) is accessible only via a first secret address from which funds can be sent but into which funds cannot be received and the second of which (the VPL account) which is accessible only via a second published address into which funds can be received but from which funds cannot be sent (See, e.g., O’Leary, Col 5, lines 51-51; Col 6, lines 4-9; Col 6, lines 18-20; Col 12, lines 8-24; and Col 13, lines 22-28). Using a well known EFT network such as ACH, O’Leary simply send funds from its IPA accounts to its VPL accounts, but does not permit funds to be sent from its VPL accounts or to be received by its IPA accounts.

Further, the Examiner admits that O’Leary does not disclose at least a held money feature for retaining funds in the user’s transaction account which the user has designated to be sent to a recipient but which has not yet been picked up by the recipient, as recited in each of independent claims 1, 34, 71, and 72, but argues that such a held money feature is an inherent feature of O’Leary “since funds designated to be sent is normally held against the payer’s account until the funds clear or picked up”.

MPEP 2112 IV provides in pertinent part:

“In relying upon the theory of inherency, the examiner must provide a basis in fact and/or technical reasoning to reasonably support the determination that the allegedly inherent

characteristic necessarily flows from the teachings of the applied prior art." *Ex parte Levy*, 17 USPQ2d 1461, 1464 (Bd. Pat. App. & Inter. 1990) (emphasis in original).

The fact that a certain result or characteristic may occur or be present in the prior art is not sufficient to establish the inherency of that result or characteristic. *In re Rijckaert*, 9 F.3d 1531, 1534, 28 USPQ2d 1955, 1957 (Fed. Cir. 1993) (reversed rejection because inherency was based on what would result due to optimization of conditions, not what was necessarily present in the prior art). (emphasis supplied).

The fact that "funds designated to be sent is normally held against the payer's account until the funds clear or picked up" may occur or be present in O'Leary is not sufficient to establish the inherency of that result or characteristic. On the contrary, the Schrader reference (US 5,903,881) previously cited and withdrawn by the Examiner details the characteristics of checkbook and on-line banking applications as including only: (1) account management consisting of viewing bank account data from the bank, initiating requests to the bank to generate fund transfers between accounts, and requesting account or transaction information from the bank; (2) bill payment consisting of initiating requests to the bank to pay vendors; (3) checkbook transactions consisting of accounting, such as checks, withdrawals, and purchases; and (4) current balance calculation. (Schrader, Col 1, lines 18-46). There is no hint of a suggestion in O'Leary, Schrader or any other of the Examiner's art of a held money feature for retaining funds in the user's transaction account which the user has designated to be sent to a recipient but which has not yet been picked up by the recipient, as recited in each of claims 1, 34, 71, and 72. Consequently, the Examiner's own applied art teaches away from the Examiner's allegation that the particular characteristic necessarily flows from the art and clearly demonstrates the Examiner's error in relying upon the theory of inherency. The Examiner's allegation of inherency is improper and should be withdrawn.

Still further, the Examiner admits that O'Leary does not teach providing the transaction account for the user with a third level of service that includes all features of the first and second levels of service plus a credit line enabling the user to access both line of credit funds and accumulated balance funds in the user's transactions account, as recited in each of claims 1, 34, 71, and 72, but alleges that he has "official notice" because "attaching a line of credit to a



transaction account is old and well known in the art, such method is well established in commercial banking where regular checking transaction account is tied to overdraft line of credit, enabling customers to overdraft their regular transaction accounts if there is an insufficient fund in the said account to settle a payment.” On the contrary, the proposed modification of O’Leary in view of the Examiner’s “official notice” is improper and should be withdrawn for at least the following reasons.

- the notice taken is not capable of such instant and unquestionable demonstration as to defy dispute;
- the notice taken is not supported by citation to some reference work recognized as a standard in the pertinent art; and
- a clear and unmistakable technical line of reasoning underlying the decision to take such notice is not provided.

The notice of facts beyond the record that may be taken by the Examiner must be “capable of such instant and unquestionable demonstration as to defy dispute.”<sup>1</sup> It would not be appropriate for the Examiner to take “Official Notice” of facts without citing a prior art reference where the facts asserted are not capable of instant and unquestionable demonstration as being well known.<sup>2</sup> Assertions of specific knowledge of the prior art must always be supported by citation to some reference work recognized as standard in the pertinent art.<sup>3</sup> If “Official Notice” is taken, the technical line of reasoning underlying a decision to take such notice must be clear and unmistakable.<sup>4</sup>

First, assertions of the sort made by the Examiner in the technology area of the subject invention (electronic commerce) are inherently unlikely to be capable of such instant and unquestionable demonstration as to defy dispute. Second, the Examiner does not cite a prior art reference beyond O’Leary, which the Examiner concedes fails to teach the claim elements about which the Examiner claims to have “official notice.” Finally, no technical line of reasoning underlying the decision to take such notice is presented.

<sup>1</sup> *In re Ahlert*, 424 F.2d 1088, 1091, 165 USPQ 418, 420 (CCPA 1970) (citing *In re Knapp Monarch Co.*, 296 F.2d 230, 132 USPQ 6 (CCPA 1961)) (emphasis added).

<sup>2</sup> MPEP 2144.03 (emphasis in original).

<sup>3</sup> *Id.* (emphasis added).

<sup>4</sup> *Id.*

For those reasons, the undersigned requests that the Examiner's allegation of "official notice" be withdrawn. The remarks to this point are a challenge to the implicit finding that "official notice" is proper in this case. The remarks are responsive in that they distinctly and specifically point out the error in taking "official notice" in this fashion—as required by 37 CFR § 1.111(b). Although to traverse such a finding, "an applicant must specifically point out the supposed errors in the Examiner's action, which would include stating why the noticed fact is not considered to be common knowledge or well-known in the art,"<sup>5</sup> such a traverse is required only where "official notice" was properly taken. Otherwise, an improper "official notice"—for example, mere assertion—would operate as an inappropriate burden-shifting tactic as in the present case.

Consequently, O'Leary does not disclose or suggest the required combinations of limitations of independent claims 1, 34, 71, and 72. Because O'Leary fails to teach the limitations of claims 1, 34, 71, and 72, the Examiner has failed to establish the required *prima facie* case of unpatentability. The Examiner has failed to establish the required *prima facie* case of unpatentability for independent claims 1, 34, 71, and 72, and similarly has failed to establish a *prima facie* case of unpatentability for claims 2-11, 17-33, and 67-70 that depend on claim 1 and claims 35-44 and 50-66 that depend on claim 34 and which recite further specific elements that have no reasonable correspondence with the reference.

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<sup>5</sup> *Id.*

**(8) Conclusion**

For at least the reasons given above, the rejection of claims 1-11, 17-44 and 50-72 is improper. Applicants respectfully request the final rejection by the Examiner be reversed and claims 1-11, 17-44 and 50-72 be allowed.

Respectfully submitted,

Date: March 6, 2008

By: /John M. Harrington, Reg. #25,592/  
John M. Harrington  
(Reg. No. 25,592)

KING & SPALDING LLP  
1700 Pennsylvania Avenue, NW  
Washington, DC 20006  
(202) 737-0500

**(9) Claims Appendix**

1. A method for making on-line payments, comprising:

receiving enrollment information from a user for an on-line payments service;

receiving the user's designation of a source account for withdrawing funds for the on-line payments;

providing a transaction account for the user as a money deposit account accessible via a single account number that the user can use both as a source from which to send funds and a destination into which to receive funds and with at least one of a plurality of service levels;

wherein providing the transaction account for the user with at least one of the plurality of service levels further comprises providing the transaction account for the user with a first level service that includes an on-line person-to-person payment service enabling the user to receive and send funds from the user's transaction account, with a save for later feature enabling the user to accumulate a balance of funds in the user's transaction account for later use, and with a held money feature for retaining funds in the user's transaction account which the user has designated to be sent to a recipient but which has not yet been picked up by the recipient; providing the transaction account for the user with a second level of service that includes all features of the first level of service plus an access card enabling the user to access funds in the user's transaction account for off-line transactions; and providing the transaction account for the user with a third level of service that includes all features of the first and second levels of service plus a credit line enabling the user to access both line of credit funds and accumulated balance funds in the user's transaction account;

allowing the user to have funds reside in the transaction account; and

allowing the user to use the funds residing in the transaction account for at least one of making an on-line payment with funds in the transaction account, making an online purchase with funds in the transaction account, making an off-line purchase with funds in the transaction account, making a cash withdrawal with funds in the transaction account, making a credit card

account payment with funds in the transaction account, making a bill payment with funds in the transaction account, and making an international payment with funds in the transaction account.

2. The method of claim 1, wherein receiving the enrollment information further comprises receiving the information from the user on an enrollment page for the on-line payments service.

3. The method of claim 2, wherein receiving the enrollment information further comprises receiving information about the user necessary to fulfill a "know your customer" (KYC) obligation of a financial institution as a provider of the on-line payments service.

4. The method of claim 3, wherein receiving the enrollment information further comprises receiving information about the user necessary to enable the financial institution to validate that the user is bona fide.

5. The method of claim 4, wherein receiving the enrollment information further comprises receiving information about the user relevant in settling disputes related to use by the user of the on-line payments service.

6. The method of claim 1, wherein receiving the user's designation of the source account further comprises receiving the user's designation of at least one of a credit card account and a deposit account of the user as the source account.

7. The method of claim 6, wherein receiving the user's designation of the credit card account as the source account further comprises receiving information from the user about the credit card account consisting of a credit card number, a credit card expiration date, and a credit card verifier.

8. The method of claim 7, wherein receiving the information from the user about the credit card account further comprises performing a back end authorization to confirm that the information relates to a valid credit card account of the user.

9. The method of claim 6, wherein receiving the user's designation of the deposit account as the source account further comprises receiving the user's designation of the deposit account

consisting of a least one of a checking account, a debit account, and a money market account of the user as the source account.

10. The method of claim 9, wherein receiving the user's designation of the deposit account further comprises receiving information about the deposit account consisting of at least one of a deposit account number and an ABA number of a financial institution with which the deposit account is maintained.

11. The method of claim 10, wherein receiving the information about the deposit account further comprises performing a back end validation to confirm that the user is the owner of the designated deposit account.

17. The method of claim 1, wherein providing the transaction account for the user that includes the access card further comprises providing the access card for the user that allows the user to withdraw funds from the transaction account at a financial transaction terminal.

18. The method of claim 1, wherein allowing the user to have funds reside in the transaction account further comprises allowing the user to utilize the transaction account as a hub for user transactions.

19. The method of claim 18, wherein allowing the user to utilize the transaction account as the hub further comprises allowing the user to use the transaction account for receiving a person-to-person payment.

20. The method of claim 18, wherein allowing the user to utilize the transaction account as the hub further comprises allowing the user to fund the transaction account with funds withdrawn from the designated source account.

21. The method of claim 20, wherein allowing the user to fund the transaction account with funds withdrawn from the designated source account further comprises allowing the user to fund the transaction account with funds withdrawn from at least one of a credit card account and a deposit account as the source account.

22. The method of claim 21, wherein allowing the user to fund the trust account with funds withdrawn from the deposit account further comprises allowing the user to fund the transaction account with funds withdrawn from the deposit account consisting of at least one of a checking account, a debit account, and a money market account as the source account.

23. The method of claim 1, wherein allowing the user to have funds reside in the transaction account further comprises allowing the user to have funds reside in at least one of a save for later portion and a held money portion of the transaction account.

24. The method of claim 23, wherein allowing the user to have funds reside in at least one of the save for later portion and the held money portion of the transaction account further comprises allowing the user to view balances of the save for later and held money portions of the transaction account.

25. The method of claim 1, wherein allowing the user to use the funds in the transaction account for making an on-line payment further comprises designating funds in the transaction account for an on-line payment to a recipient according to an instruction by the user.

26. The method of claim 1, wherein allowing the user to use the funds in the transaction account for making an on-line purchase further comprises allowing the user to authorize payment to an on-line merchant for an on-line transaction with funds in the transaction account by furnishing the on-line merchant the transaction account number.

27. The method of claim 1, wherein allowing the user to use the funds in the transaction account for making an off-line purchase further comprises allowing the user to authorize payment to an off-line merchant for an off-line transaction with funds in the transaction account using a transaction card provided to the user in connection with the transaction account.

28. The method of claim 1, wherein allowing the user to use the funds in the transaction account for a cash withdrawal further comprises allowing the user to withdraw funds in cash from the transaction account at a self-service financial transaction terminal using a transaction card provided to the user in connection with the transaction account.

29. The method of claim 1, wherein allowing the user to use the funds in the transaction account for making a credit card account payment further comprises allowing the user to authorize a payment to the user's credit card account with funds in the transaction account according to an instruction by the user.

30. The method of claim 1, wherein allowing the user to use the funds in the transaction account for making a bill payment further comprises allowing the user to authorize the bill payment through a bill payment service with funds in the transaction account according to an instruction by the user.

31. The method of claim 1, wherein allowing the user to use the funds in the transaction account for making an international payment further comprises allowing the user to authorize the international payment through an international payment service with funds in the transaction account according to an instruction by the user.

32. The method of claim 1, wherein allowing the user to use the funds in the transaction account further comprises allowing the user to utilize a save for later portion of the funds in the transaction account.

33. The method of claim 32, wherein allowing the user to use the funds in the transaction account further comprises allowing the user to supplement the save for later portion of the funds in the transaction account with a line of credit associated with the transaction account.

34. A system for making on-line payments, comprising:

means for receiving enrollment information from a user for an on-line payments service;

means for receiving the user's designation of a source account for withdrawing funds for the on-line payments;

means for providing a transaction account for the user as a money deposit account accessible via a single account number that the user can use both as a source from which to send funds and a destination into which to receive funds and with at least one of a plurality of service levels;



wherein the plurality of service levels provided for the user with the transaction account further comprises a first level of service that includes an on-line person-to-person payment service enabling the user to receive and send funds from the user's transaction account, a save for later feature enabling the user to accumulate a balance of funds in the user's transaction account for later use, and a held money feature for retaining funds in the user's transaction account which the user has designated to be sent to a recipient but which has not yet been picked up by the recipient; a second level of service that includes all features of the first level of service plus an access card enabling the user to access funds in the user's transaction account for off-line transactions; and a third level of service that includes all features of the first and second levels of service plus a credit line enabling the user to access both line of credit funds and accumulated balance funds in the user's transaction account;

means for allowing the user to have funds reside in the transaction account; and

means for allowing the user to use the funds residing in the transaction account for at least one of making an on-line payment with funds in the transaction account, making an on-line purchase with funds in the transaction account, making an off-line purchase with funds in the transaction account, making a cash withdrawal with funds in the transaction account, making a credit card account payment with funds in the transaction account, making a bill payment with funds in the transaction account, and making an international payment with funds in the transaction account.

35. The system of claim 34, wherein the means for receiving the enrollment information further comprises means for receiving the information from the user on an enrollment page for the on-line payments service.

36. The system of claim 35, wherein the means for receiving the enrollment information further comprises means for receiving information about the user necessary to fulfill a "know your customer" (KYC) obligation of a financial institution as a provider of the on-line payments service.

37. The system of claim 36, wherein the means for receiving the enrollment information further comprises means for receiving information about the user necessary to enable the financial institution to validate that the user is bona fide.

38. The system of claim 37, wherein the means for receiving the enrollment information further comprises means for receiving information about the user relevant in settling disputes related to use by the user of the on-line payments service.

39. The system of claim 34, wherein the means for receiving the user's designation of the source account further comprises means for receiving the user's designation of at least one of a credit card account and a deposit account of the user as the source account.

40. The system of claim 39, wherein the means for receiving the user's designation of the credit card account as the source account further comprises means for receiving information from the user about the credit card account consisting of a credit card number, a credit card expiration date, and a credit card verifier.

41. The system of claim 40, wherein the means for receiving the information from the user about the credit card account further comprises means for performing a back end authorization to confirm that the information relates to a valid credit card account of the user.

42. The system of claim 39, wherein the means for receiving the user's designation of the deposit account as the source account further comprises means for receiving the user's designation of the deposit account consisting of a least one of a checking account, a debit account, and a money market account of the user as the source account.

43. The system of claim 42, wherein the means for receiving the user's designation of the deposit account further comprises means for receiving information about the deposit account consisting of at least one of a deposit account number and an ABA number of a financial institution with which the deposit account is maintained.

44. The system of claim 43, wherein the means for receiving the information about the deposit account further comprises means for performing a back end validation to confirm that the user is the owner of the designated deposit account.

50. The system of claim 34, wherein the means for providing the transaction account for the user that includes the access card further comprises means for providing the access card for the user that allows the user to withdraw funds from the transaction account at a financial transaction terminal.

51. The system of claim 34, wherein the means for allowing the user to have funds reside in the transaction account further comprises means for allowing the user to utilize the transaction account as a hub for user transactions.

52. The system of claim 51, wherein the means for allowing the user to utilize the transaction account as the hub further comprises means for allowing the user to use the trust account for receiving a person-to-person payment.

53. The system of claim 51, wherein the means for allowing the user to utilize the transaction account as the hub further comprises means for allowing the user to fund the transaction account with funds withdrawn from the designated source account.

54. The system of claim 53, wherein the means for allowing the user to fund the transaction account with funds withdrawn from the designated source account further comprises means for allowing the user to fund the trust account with funds withdrawn from at least one of a credit card account and a deposit account as the source account.

55. The system of claim 54, wherein the means for allowing the user to fund the trust account with funds withdrawn from the deposit account further comprises means for allowing the user to fund the trust account with funds withdrawn from the deposit account consisting of at least one of a checking account, a debit account, and a money market account as the source account.

56. The system of claim 34, wherein the means for allowing the user to have funds reside in the transaction account further comprises means for allowing the user to have funds reside in at least one of a save for later portion and a held money portion of the transaction account.

57. The system of claim 56, wherein the means for allowing the user to have funds reside in at least one of the save for later portion and the held money portion of the transaction account further comprises means for allowing the user to view balances of the save for later and held money portions of the transaction account.

58. The system of claim 34, wherein the means for allowing the user to use the funds in the transaction account for making an on-line payment further comprises means for designating funds in the transaction account for an on-line payment to a recipient according to an instruction by the user.

59. The system of claim 34, wherein the means for allowing the user to use the funds in the transaction account for making an on-line purchase further comprises means for allowing the user to authorize payment to an on-line merchant for an on-line transaction with funds in the transaction account by furnishing the on-line merchant the transaction account number.

60. The system of claim 34, wherein the means for allowing the user to use the funds in the transaction account for making an off-line purchase further comprises means for allowing the user to authorize payment to an off-line merchant for an off-line transaction with funds in the transaction account using a transaction card provided to the user in connection with the transaction account.

61. The system of claim 34, wherein the means for allowing the user to use the funds in the transaction account for a cash withdrawal further comprises means for allowing the user to withdraw funds in cash from the transaction account at a self-service financial transaction terminal using a transaction card provided to the user in connection with the transaction account.

62. The system of claim 34, wherein the means for allowing the user to use the funds in the transaction account for making a credit card account payment further comprises means for

allowing the user to authorize a payment to the user's credit card account with funds in the transaction account according to an instruction by the user.

63. The system of claim 34, wherein the means for allowing the user to use the funds in the transaction account for making a bill payment further comprises means for allowing the user to authorize the bill payment through a bill payment service with funds in the transaction account according to an instruction by the user.

64. The system of claim 34, wherein the means for allowing the user to use the funds in the transaction account for making an international payment further comprises means for allowing the user to authorize the international payment through an international payment service with funds in the transaction account according to an instruction by the user.

65. The system of claim 34, wherein the means for allowing the user to use the funds in the transaction account further comprises means for allowing the user to utilize a save for later portion of the funds in the transaction account.

66. The system of claim 65, wherein the means for allowing the user to use the funds in the transaction account further comprises means for allowing the user to supplement the save for later portion of the funds in the transaction account with a line of credit associated with the transaction account.

67. The method of claim 1, wherein receiving the user's designation of a source account for withdrawing funds for the on-line payments further comprises receiving the user's designation of a credit card account and designating the withdrawn funds as a purchase on the credit card account by a payments engine.

68. The method of claim 1, wherein allowing the user to use the funds in the transaction account for making an on-line payment further comprises:

receiving an email address and payment amount by a payments engine for a recipient from the user at a user terminal via a network;

notifying the recipient by email at a recipient terminal by the payments engine of the payment;

prompting the recipient by the payments engine to enroll for the on-line payments service;

if the recipient elects to enroll, receiving the recipient's designation of a recipient account to receive the payment and applying the payment amount to the recipient account by the payments engine; and

if the recipient declines to enroll, arranging a courtesy check for the payment amount to the recipient by the payments engine.

69. The method of claim 68, wherein receiving the recipient's designation of a recipient account and applying the payment amount to the recipient account further comprises receiving the recipient's designation of a recipient credit card account and applying the payment amount as a payment on the recipient credit card account.

70. The method of claim 1, wherein allowing the user to use the funds in the transaction account for making an international payment further comprises:

receiving a selection via a network by a payments engine from the user at a user terminal of an option for the international payment;

receiving a selection from the user by the payments engine of one of a payment by wire and a payment by check in response to a prompt by the payments engine;

if the user selects the payment by wire, receiving banking and wire settlement information by the payments engine from the user in response to a prompt by the payments engine;

if the user selects the payment by check, receiving information concerning a recipient, a country, a currency, and a payment amount from the user in response to a prompt by the payments engine; and

displaying an exchange rate and fee for the payment for the user at the terminal by the payments engine via the network.

71. A method for making on-line payments, comprising:

receiving enrollment information by a payments engine from a user at a terminal via a network for an on-line payments service;

identifying characteristics of the user from the enrollment information indicative of a predefined service level for the user by the payments engine;

appending a level indicator for the user by the payments engine to an enrollment file for the user corresponding to the predefined service level for the user;

receiving the user's designation of a source account for withdrawing funds for the on-line payments service for the user by the payments engine via the network;

providing a transaction account for the user by the payments engine accessible via a single account number that the user can use both as a source from which to send funds and a destination into which to receive funds and with a user service level and graphical user interface corresponding to the appended level indicator; and

allowing the user to use the transaction account for a transaction via the payments engine in response to prompts displayed on the graphical user interface for the user at the terminal according to predetermined transaction parameters established for the user service level;

wherein the predefined service levels comprise a first level service that includes an on-line person-to-person payment service enabling the user to receive and send funds from the user's transaction account, with a save for later feature enabling the user to accumulate a balance of funds in the user's transaction account for later use, and with a held money feature for retaining funds in the user's transaction account which the user has designated to be sent to a recipient but which has not yet been picked up by the recipient, a second level of service that includes all features of the first level of service plus an access card enabling the user to access funds in the user's transaction account for off-line transactions, and a third level of service that includes all

features of the first and second levels of service plus a credit line entitling the user to access both line of credit funds and accumulated balance funds in the user's transaction account.

72. A method for making on-line payments, comprising:

receiving enrollment information for an on-line payments service on an enrollment page for the on-line payments service;

receiving from the user the user's designation of a source account for withdrawing funds for the on-line payments service;

providing a transaction account for the user by the on-line payments service as a money deposit account accessible via a single account number that the user can use both as a source from which to send funds and a destination into which to receive funds and with at least one of a plurality of service levels;

allowing the user to have funds reside in at least one of a save for later portion of the transaction account and a held money portion of the transaction account;

allowing the user to use the funds residing in the transaction account for a transaction consisting of any of making an on-line payment via a recipient account with funds in the transaction account, making an on-line purchase with funds in the transaction account by authorizing payment from the transaction account to an on-line merchant, making a credit card account payment with funds in the transaction account by authorizing the payment to the user's credit card account, making a bill payment via a bill payment service with funds in the transaction account, making an international payment via an international payment service in a foreign currency with funds in the transaction account, making an offline purchase with funds in the transaction account by authorizing payment from the transaction account to an off-line merchant using a transaction card provided to the user in connection with the transaction account, and making a cash withdrawal with funds in the transaction account at a self-service financial transaction terminal using the transaction card; and



providing the user a credit facility to supplement the save for later portion of the funds in the transaction account for use in any of said transactions, wherein the credit facility is accessible by the user only upon depleting the save for later portion of the funds in the transaction account.

**(10) Evidence Appendix**

There is no evidence submitted pursuant to 37 C.F.R. §§ 1.130, 1.131 and no other evidence entered by the examiner and relied on by appellant in the appeal.

**(11) Related Proceedings Appendix**

There are no other decisions rendered by a court or the Board in any other appeals or interferences related to this case.